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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/777,383

02/11/2004

Csaba Sziklai

40050-0005

4603

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7590

03/27/2008

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EXAMINER

MCCORMICK, GABRIELLE A

ART UNIT

PAPER NUMBER

3629

MAIL DATE

DELIVERY MODE

03/27/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/777,383	Applicant(s) SZIKLAI, CSABA	
	Examiner GABRIELLE MCCORMICK	Art Unit 3629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/11/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. This action is in reply to the application filed on February 11, 2004.
2. Claims 1-25 are currently pending and have been examined.

Information Disclosure Statement

3. The Information Disclosure Statement filed on February 11, 2004 has been considered. An initialed copy of the Form 1449 is enclosed herewith.

Claim Objections

4. Claim 17 is objected to for a misspelling error in line 1 ("and").

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claims 1-3 and 5-9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Vitter et al. ("Should our high school tell the military where you live?". New York Times Upfront. New York: Jan 24, 2003. Vol. 135, Iss. 8; pg. 22, hereafter referred to as "Vitter") in view of Marks ("Shape up your marketing". ColoradoBiz. Englewood: Aug 2001. Vol. 28, Iss. 8; pg. 48), in view of Wigginton ("Lack of Job Satisfaction Fuels Desire to Make a Switch". The Oregonian. Portland, Or.: Sep 20, 2000. pg. 29).

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7. **Claims 1, 2, 3 and 8:** Vitter discloses military recruiters mailing solicitations (pg. 2; P6), thus identifying a potential employee where the solicitation letter inherently contains a personalized message in the form of the name of the addressee and has been transmitted. Vitter does not disclose coupling and transmitting a media source with general career information from a practicing psychologist to the solicitation (referral unit).
8. Marks, however, discloses the military's use of mini disks as an alternative to pamphlets (thus a media source with industry information). (pg. 1; P3). Marks also discloses that the disks can have links to web-sites (pg. 1; P5 and 13).
9. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included a mini disk, as disclosed by Marks, in the system of Vitter for the motivation of providing detailed information and thereby increasing a prospective recruit's interest in a career with the military.
10. Wigginton discloses "myAspiration.com" offering career assessment profiling developed by psychologists, as well as other information. (pg. 1; P11).
11. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included web links to myAspiration.com, as disclosed by Wigginton in the system disclosed by Marks, for the motivation of providing a method of providing links to career information that can help guide a potential military recruit in understanding a career choice.
12. Further, it is obvious to one of ordinary skill in the art that the mini disk of Marks is capable of storing web links to career assessments, such as provided by the psychologists involved with myAspiration.com, because Marks has disclosed the use of web links on mini disks, and therefore the system is capable of accessing such a site with predictable results.
13. **Claim 5:** Vitter does not disclose an insurance and financial services industry, however, Vitter discloses "Students deserve to be informed about **all of the options available to them** as they decide what their post-high-school ambitions hold." (pg.1; P2). Thus it is inherent that options to post-high-school students would include the insurance and financial service industry, as this industry is an option for such a student.

14. **Claims 6 and 7:** Vitter does not disclose a lined paper, fabric or plastic based card being configured to receive a personalized message.
15. However, it is obvious that an index card, which is an old and well known lined, paper card, is capable of receiving a personalized message.
16. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included an index card, in the system of Vitter for the motivation of catching the recipient's attention through the use of an additional note that would give the recipient the impression that the solicitation letter was further personalized.
17. Further, a mailed letter, such as disclosed by Vitter, is capable of holding additional notes, such as an index card. The letter would perform as expected, with the predictable result of the recipient receiving both the solicitation letter and the included index card.
18. **Claim 9:** Vitter does not disclose that the solicitation letter comprises an offer to meet, however it is obvious that a military recruiter, as disclosed by Vitter, would provide contact details and the suggestion that the recipient call to discuss career options. This would obviously further include suggesting a meeting.
19. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included an offer to meet, in the system of Vitter for the motivation of increasing the likelihood that the recipient would eventually become a recruit.
20. Further, the letter of Vitter is capable of including an offer to meet, as such an offer would comprise text and a letter would be expected to perform the task of including such a detail with the predicted result of providing the recipient with information regarding a military career.
21. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over Vitter et al. ("Should our high school tell the military where you live?". New York Times Upfront. New York: Jan 24, 2003. Vol. 135, Iss. 8; pg. 22, hereafter referred to as "Vitter") in view of Marks ("Shape up your marketing". ColoradoBiz. Englewood: Aug 2001. Vol. 28, Iss. 8; pg. 48), in view of Wigginton ("Lack of Job Satisfaction Fuels Desire to Make a Switch". The Oregonian. Portland, Or.: Sep 20,

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2000. pg. 29), in further view of King ("Lean labor menu tests contractors' creativity". Nation's Restaurant News. New York: Apr 6, 1998, Vol. 32, Iss. 14; pg. 47).

- 22. Claim 4:** Vitter does not disclose obtaining a referral.
- 23.** King, however, discloses that Delaware North uses an employee referral program that involves an employee inviting a competitor's employee to consider working for the company. (pg. 3; P7-8).
- 24.** Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included employee referrals, as disclosed by King, in the system of Vitter for the motivation of increasing the recruitment in the military. Referrals are an old and well know inexpensive form of generating leads for recruitment, therefore any recruiting system would be motivate to incorporate referrals.
- 25. Claims 10-25** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodsdon et al. (US Pat. No. 7,275,678, hereafter referred to as "Hodsdon") in view of Marks ("Shape up your marketing". ColoradoBiz. Englewood: Aug 2001. Vol. 28, Iss. 8; pg. 48), in view of Wigginton ("Lack of Job Satisfaction Fuels Desire to Make a Switch". The Oregonian. Portland, Or.: Sep 20, 2000. pg. 29).
- 26. Claims 10, 11, 13, 14, 15, 17, 19, 20, 22 and 24:** Hodsdon discloses a business card (inherently paper-based and a means for receiving a personalized message), a protective envelope for retaining a compact disk with an integrated business card (C1; L62-C2; L10). Hodsdon does not disclose a recorded message by a practicing psychologist for motivating a general career search.
- 27.** Marks, however, discloses "custom-cut CDs" for use at career fairs. (pg. 1; P2). Marks also discloses that the disks can have links to web-sites (pg. 1; P5 and 13).
- 28.** Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have included disks with links to web sites, as disclosed by Marks, in the system of Hodsdon for the motivation of providing a sales or promotional tool. (Hodsdon; C1; L28-29). Web sites are an old and well known form of providing access to supplemental information, therefore, the disks

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of Hodsdon's system would benefit from the inclusion of web links in order to provide this information.

29. Wigginton discloses "myAspiration.com" offering career assessment profiling developed by psychologists, as well as other information. (pg. 1; P11). The information provided on a web site is inherently recorded in order for it to be accessible.
30. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included web links to myAspiration.com, as disclosed by Wigginton in the system disclosed by Marks, for the motivation of providing a method of providing links to "business-related information" (Marks; pg. 1; P13).
31. Further, it is obvious to one of ordinary skill in the art that the mini disk of Marks is capable of storing web links to career assessments, such as provided by the psychologists involved with myAspiration.com, because Marks has disclosed the use of web links on mini disks, and therefore the system is capable of accessing such a site with predictable results.
32. **Claims 12 and 21:** Hodsdon discloses business cards (C1; L65), but does not disclose a plurality of text guide lines. However, it is inherent that a business card could be printed with guidelines in place of text as the lines represent connected underscores, such as __, and are merely a substitution of a non-alpha-numeric text character for an alpha-numeric text character.
33. **Claims 16 and 23:** Hodsdon discloses plastic envelopes (C1; L21-24).
34. **Claims 18 and 25:** Hodsdon does not disclose coupling the card by either adhesive or mechanical means, however it is old and well known to use staples, paper clips or tape to affix a business card to a form of supplemental material.
35. It would have been obvious to one of ordinary skill in the art at the time of the invention that a business card could alternatively be attached to an envelope containing a CD using tape, staples or a paper clip as this affixing to the envelope would not alter the information contained on the CD, thus the CD would perform with the expected result of enabling access to the information contained thereon.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabrielle McCormick whose telephone number is (571)270-1828. The examiner can normally be reached on Monday - Thursday (5:30 - 4:00 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on 571-272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. M./
Examiner, Art Unit 3629

/John G. Weiss/
Supervisory Patent Examiner, Art Unit 3629